

REMARKS

Claims 1, 2, 4-9, 16-17 and 19-33 are pending and under consideration in the above-identified application.

In the Office Action of April 14, 2009, Claims 1, 2, 4-9, 16-17 and 19-33 were rejected.

In this Amendment, Claims 1, 16, 27, 30, 32 and 33 are amended. No new matter has been introduced as a result of this Amendment.

I. 35 U.S.C. § 102 Anticipation and § 103 Obviousness Rejections of Claims

Claims 1, 2, 4-8, 16, 17, 19-23 and 27-33 were rejected under 35 U.S.C. § 102(e) as being anticipated by *Fox* (U.S. Patent No. 6,566,697).

Claims 9 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fox*.

Claim 25 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fox* in view of *Fossum* (U.S. Patent No. 6,624,456).

Claim 26 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Fox* in view of *Applicant Admitted Prior Art*.

In relevant part, each of the independent claims 1, 16, 27, 30, 32 and 33 now recite a driver configuration unit which is configured such that an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the floating diffusion part and the transfer transistor transfers the signal charge from the photoelectric converting element after the floating diffusion part is reset.

This is clearly unlike *Fox* which fails to disclose a driver configuration unit which is configured such that an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the floating diffusion part and the transfer transistor transfers the signal charge from the photoelectric converting element after the floating diffusion part is reset. Instead, *Fox* discloses turning on an exposure control gate and then turning off the exposure control gate during charge integration. See, U.S. Pat. No. 6,566,697, Col. 11, l. 4-14.

Fossum and *AAPA* do not disclose anything pertaining to exposure time, much less a driver configuration unit which is configured such that an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the floating diffusion part and the transfer transistor transfers the signal charge from the photoelectric converting element after the floating diffusion part is reset.

As the Applicant's specification teaches, by providing a driver configuration unit which is configured such that an exposure time of the photoelectric converting element starts while the processing unit reads the signal charge from the floating diffusion part and the transfer transistor transfers the signal charge from the photoelectric converting element after the floating diffusion part is reset, a sensitive preferred image output is produced while exposure time and light noise is reduced. See, U.S. Pat. Pub. No. 2004/0130757, Para. [0129]-[0130].

Therefore, because *Fox*, *Fossum*, *AAPA* or any possible combination of them fails to disclose or even fairly suggest every feature of claims 1, 16, 27, 30, 32 and 33, the rejection of claims 1, 16, 27, 30, 32 and 33 cannot stand. Because claims 2, 4-9, 17 and 19-26, 31 depend, either directly or indirectly, from claims 1, 16, 27, 30, 32 and 33, they are allowable for at least the same reasons.

II. Conclusion

In view of the above amendments and remarks, Applicant submits that the claims are clearly allowable over the cited prior art, and respectfully requests early and favorable notification to that effect.

Respectfully submitted,

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